

### **REMARKS/ARGUMENTS**

Applicants would like to thank the examiner for the careful consideration given the present application. By the present amendment, claims 1-10 remain in the application while claims 1 and 10 are amended. Applicants respectfully request reconsideration and allowance.

#### ***Specification***

The title is objected to because it is not descriptive. The title of the invention has been amended as “Imagine pickup device and imagine pickup method”. Thus, the objection as it applies to the specification is moot.

#### ***Information Disclosure Statement***

A copy of the publication of Japanese patent 3-23034 is provided with the current amendment per the examiner’s request. Applicants respectfully request the document being considered by the examiner.

#### ***Drawings***

The legends of “Prior Art” in Figures 9A, 9B, and 9C have been added per the examiner’s request. Thus, the objection as it applies to the drawings is moot.

#### ***Claim Rejections - 35 USC § 103***

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doron (US 6,559,888) in view of Nishimoto (JP 2001-051183 A). The rejection is respectfully traversed for at least the following reasons, although independent claims 1 and 10 have been amended to distinguish further the claimed subject matter from the references.

Amended independent claim 1, in part, explicitly requires “said signal processing circuit outputs the image recorded to said image recording section during a transition time period of said magnification converting lens being inserted onto said optical axis”. Likewise, amended

independent claim 10 requires “said switched image is outputted during a transition time period of said magnification converting lens being inserted onto said optical axis”.

It is noted in the Office Action that Doron does not disclose the above-mentioned limitations. Nishimoto, however, fails to overcome the deficiencies of Doron. Although Nishimoto discloses an extender 14 (magnification converting lens) and an extender switching mechanisms 22, Nishimoto does not teach or suggest outputting a recorded image during a transition time period of the extender being inserted onto the optical axis. Instead, Nishimoto discloses a lens device capable of continuously changing a focal length and dispensing with the complicatedness in the switching operation of the magnification of an extender by moving a position of a zoom lens (see abstract).

The Office Action further asserted that it would be obvious to combine the zooming teachings of Doron and Nishimoto so that the digital zoom of Doron is applied even when the extender is inserted so that the maximum total zoom amount can be obtained. Applicants disagree on the alleged suggestion or motivation to combine Doron and Nishimoto references. First, claims 1 and 10 have been amended to explicitly require outputting a recorded image during a transition time period of said magnification converting lens being inserted, thus the time frame of outputting the recorded image in claims 1 and 10 are not in accordance with the assertion in the Office Action. Second, as stated in the abstract, the Nishimoto reference as a whole is “[t]o provide a lens device capable of continuously changing a focal length and dispensing with the complicatedness in the switching operation of the magnification of an extender”. There is not any suggestion or motivation in Nishimoto to obtain the maximum total zoom amount by combining the zooming teaching of Doron as asserted in the Office Action.

Thus, the alleged suggestion or motivation in the Office Action to combine the zooming teachings of Doron and Nishimoto cannot be established.

Therefore, a *prima facie* case of obviousness of claims 1 and 10 cannot be made base on the explanations above, and it is respectfully requested that the rejection of claims 1 and 10 be withdrawn.

Claims 2-9 depend from independent claim 1 and are, therefore, allowable for at least the reasons provided in support of the allowability of claim 1.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No.: OHNO-40226.

Respectfully submitted,  
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